

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SEFAT SHAFIQUE,

Plaintiff,

-against-

ORDER

24-CV-02801(AYS)

DEPARTMENT OF HOMELAND SECURITY,
et al.,

Defendants.

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SHIELDS, United States Magistrate Judge:

The Court's records reflect that the Complaint in this action was filed on April 16, 2024, and, on April 23, 2024, pro se plaintiff, Sefat Shafique ("Plaintiff") paid the filing fee. (Docket Entry ("DE") [1], [4].) Pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure:

A summons must be served with a copy of the complaint. The plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to the person who makes service.

FED. R. CIV. P. 4(c)(1) (emphasis added). Moreover, pursuant to Rule 4(m):

If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

FED. R. CIV. P. 4(m).

Accordingly, IT IS ORDERED that Plaintiff shall comply with these requirements on or before **July 15, 2024**. Once the Defendants are served, Plaintiff shall promptly file an Affidavit of Service reflecting such service. PLAINTIFF IS ON NOTICE: A failure to: (1) timely serve the Summonses and Complaint and to promptly file proof of such service; or (2) otherwise communicate with the Court why such service has or has not been made, will subject the Complaint

to dismissal without prejudice in accordance with Federal Rule of Civil Procedure 4(m).

IT IS FURTHER ORDERED that the Clerk of Court is directed to mail a copy of this Order together with a blank summons and instructions for service to Plaintiff and to note such mailing on the docket. Plaintiff shall complete and return the summons for issuance by the Court and, once issued, shall effect service in accordance with Federal Rule of Civil Procedure 4's requirements.

Plaintiff is required to advise the Clerk of the Court of any change of address. Failure to keep the Court informed of Plaintiff's current address means the Court will not know where to contact Plaintiff and may result in dismissal of the case.

SO ORDERED.

Anne Y. Shields, U.S.M.J.

Dated: May 6, 2024
Central Islip, New York